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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/786,034

04/23/2001

Gerardo Castillo

PROTEO.P07CI3

4033

74651 7590 09/30/2008  
PROTEOTECH, INC.  
12040 115TH AVE NE  
KIRKLAND, WA 98034-6931

EXAMINER

ROYDS, LESLIE A

ART UNIT

PAPER NUMBER

1614

MAIL DATE

DELIVERY MODE

09/30/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09/786,034	4/23/2001	CASTILLO ET AL.	PROTEO.P07CI3

PROTEOTECH, INC.  
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**EXAMINER**

Leslie A. Royds

ART UNIT	PAPER
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1614	20080927
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DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

**NOTICE OF NON-RESPONSIVE AMENDMENT**

Applicant's amendments and remarks filed May 14, 2008 have been received and entered into the present application. However, Applicant's amendments to the claims fail to comply with the requirements of 37 C.F.R. 1.121[c].

37 C.F.R. 1.121[c] states: "Amendments to a claim must be made by rewriting the entire claim with all changes (e.g., additions and deletions) as indicated in this subsection, except when the claim is being cancelled...All claims being currently amended in an amendment paper shall be presented in the claim listing, indicate a status of "currently amended", and be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletions of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived."

Applicant presents amendments to instant claim 23 at page 2 of the Amendment filed May 14, 2008. However, the amendment fails to clearly set forth the text of present claim 23 relative to the immediate prior version of the claims. In particular, Applicant has failed to account for the status of the limitation "from the group consisting of Chromium Polynicotinate, Selenium, Vitamin B12 or cobalamin, Folic acid, Biotin, and Thiamine HCl, or vitamin B1, the plant matter and" as set forth at the top of page 3 of the Amendment filed February 12, 2008. It is unclear whether this limitation was inadvertently omitted from the claim listing and intends to remain pending or whether Applicant intends to cancel this limitation entirely from the claim.

Accordingly, Applicant is required, in reply to this notice, to submit a clear and complete listing of all pending claims amended relative to the immediate prior version of the claims and to rectify the issue noted supra with regard to instant claim 23 as set forth in the papers filed May 14, 2008.

Since the above-mentioned response appears to be a bona fide attempt to reply, Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction, as well as a proper response to the previous Office Action, in order to avoid abandonment. Extensions of this time period under 37 C.F.R. 1.136(a) are available.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Leslie A. Royds, whose telephone number is (571)-272-6096. The Examiner can normally be reached Monday through Friday, 9:00 AM to 5:30 PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Ardin H. Marschel, can be reached on

(571)-272-0718. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

/Ardin Marschel/  
Supervisory Patent Examiner, Art Unit 1614

/Leslie A. Royds/  
Patent Examiner, Art Unit 1614

PTO-90C (Rev.04-03)